

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.

**ORDER REGARDING
MEDIATION**

GOOGLE INC.,

Defendant.

Early on in this case the Court allowed both sides to skip the Court's mediation plan and use a private mediator instead. The private mediation thus far has not succeeded. We are close to trial. Subject to considering the views of counsel, the Court is inclined to order both sides to mediate the case before a United States Magistrate Judge and to order the top executive officers of both sides to be in attendance for one or two complete days as necessary in the judgment of the Magistrate Judge. Counsel may comment on this proposal, including identifying who the appropriate top executives of both sides would be, by **NOON on SEPTEMBER 7, 2011.**

IT IS SO ORDERED.

Dated: September 2, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE